

CHAPTER 6
R-3 MULTIPLE FAMILY RESIDENTIAL

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14-6-101 PURPOSE AND OBJECTIVES¹

The Multiple Family Residential Zone (R-3) is established to provide areas of the community which shall be characterized by attractively landscaped condominiums, apartments, two family and single family dwellings and institutional uses which may be harmoniously blended into each neighborhood.

14-6-102 PERMITTED USES

All uses contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department.

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
1111	Single Family Dwelling - Detached
1121	Two Family Dwelling (Duplex)

¹Amended 3/23/2004 Ordinance No. 2004-03

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
1131	Multiple Family Dwelling
1141	Apartments (low-rise)
1241	Residential facility for elderly persons, subject to the conditions found in Section 10-9-504, Utah Code Annotated, 1953 as amended.
1290	Residential facility for handicapped persons, subject to the conditions found in Section 10-9-604, Utah Code Annotated, 1953 as amended.
4800	Utilities (lines and right-of-ways only) (Except 4850)
6730	Postal services
6811	Kindergarten schools
6812	Elementary schools
6813	Junior high schools
6814	Senior high schools
6815	Preschool Group Instruction/Day Care - In single family dwelling units or multiple family dwellings units with adequate, accessible play areas with no more than eight (8) children, including those residing in the dwelling. ²
6911	Churches, synagogues, temples ³

Accessory uses and structures which are customarily incidental to the above and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to the following:

- A. Accessory buildings such as garages, carports, bath houses, private satellite antennas, private greenhouses, gardening sheds, recreation rooms and similar which are customarily used in conjunction with the principal use or structure.
- B. Private swimming pools, tennis courts, sports and other similar private recreational uses.

²Amended 5/9/99 Ordinance No. 99-11

³Amended 6/16/99 Ordinance No. 99-15

- C. Vegetable/flower gardens and noncommercial orchards.
- D. Home occupations subject to the regulations of the Business Licensing procedures of Bountiful City.
- E. Storage of materials used for construction of building, including the contractor's temporary office, provided that such use is on the building site or immediately adjacent thereto and provided further that such use shall be permitted only during the construction period and thirty (30) days thereafter.
- F Household pets as provided by the Animal Control Ordinance of Bountiful City.
- G.⁴ An accessory in-law apartment may be established by special permit approved by the Planning Director and shall meet the following criteria:
 - 1. Any accessory in-law apartment shall be established only within a single-family dwelling and by building permit in accordance with the International⁵ Building Code. Accessory in-law apartments may not be located in a duplex or multiple family dwelling unit.
 - 2. Occupancy and use of any accessory in-law apartment shall be by members of the immediate family of the principal owner-occupants of the dwelling to include and be limited only to legal dependents, children, parents, grandchildren and grandparents. Other relatives or special circumstances may be considered by conditional use permit.
 - 3. Separate utility service connections shall not be allowed.
 - 4. Common access between units shall be provided.
 - 5. The structure's exterior appearance and the entrances to the dwelling shall be consistent with a single family residence.
 - 6. Water and sewer systems must be adequate to handle the additional unit.
 - 7. Adequate off-street parking shall be provided for both the primary residential use and the accessory in-law apartment using existing driveways only and shall be in compliance with Chapter 18 of this ordinance.
 - 8. A deed restriction must be filed with the County Recorder which states:

⁴Amended 11/19/98 Ordinance No. 98-22

⁵Amended 5/14/2002 Ordinance No. 2002-08

A permit for an accessory in-law apartment was issued to _____, the current owner of this property on _____ by Bountiful City. This permit does not run with the land and is automatically invalidated by the sale or transfer of this property. Prospective purchasers should be advised that only one dwelling unit may exist on the property unless a new permit for the accessory in-law apartment is issued to any new owner.

14-6-103 CONDITIONAL USES

The following uses and structures are permitted in the R-3 Zone only after a Conditional Use Permit has been approved by the Planning Commission and subject to the terms and conditions thereof:

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
1112	Single family dwellings - attached (In approved Planned Unit Developments only)
4711	Telephone exchange stations
4712	Telephone relay towers, microwave or other
4719	Other telephone communication
4722	Telegraph transmitting and receiving stations (only)
4729	Other telegraph communications
4732	Radio transmitting stations and relay towers
4739	Other radio communication
4742	Television transmitting stations and relay towers
4749	Other television communication
4790	Other communication
4800	Utilities (except lines and right-of-ways)
6242	Cemeteries
6516	Convalescent and rest home services (Lodging and meals offered with full time medical staff. Does not include sanitariums or asylums.)

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
6815	Preschool Group Instruction/Day Care - In single family dwellings only with not more than twelve (12) children as per Utah State Department of Health licensing requirements, or where not more than twelve (12) children will be receiving instruction at any given time. For preschools, there shall be no more than two (2) sessions per day lasting no more than four(4) hours with no child attending more than one(1) session per day. ⁶
6720	Protective functions and related activities
6816	Denominational and sectarian schools
6817	Schools for handicapped
7111	Libraries
7413	Tennis courts - public (as part of a public park only)
7420	Playgrounds and athletic areas
7432	Swimming pools - public (as part of a public park only)
7492	Picnicking areas - public
7600	Parks
Accessory uses and buildings customarily associated with and incidental to the above (such as restrooms, concession stands, etc.).	

14-6-104 LOT AREA⁷

The minimum area for any lot or parcel of land in the R-3 Zone be as follows:

1. Six thousand five hundred (6,500) square feet for each single family dwelling.
2. Ten thousand (10,000) square feet for each duplex.
3. For structures with three (3) or more units, a minimum lot size of 10,000 square feet, with

⁶Amended 5/19/99 Ordinance No. 99-11

⁷Amended 8/10/2004 Ordinance No. 2004-13

an overall density as outlined in Section 14-6-107 of this Chapter.

14-6-105 LOT WIDTH⁸

Each lot or parcel of land in the R-3 Zone, except corner lots, shall have a minimum width of seventy (70) feet at the building setback line for each single family dwelling. For multiple family dwellings, the lot width shall be as indicated below for the sub-zone in which it is situated.

R-3-13	80 foot minimum
R-3-16	80 foot minimum
R-3-25	90 foot minimum

For each single family dwelling or duplex, each corner lot or parcel shall be ten (10) feet wider than the minimum required for interior lots.

14-6-106 LOT FRONTAGE⁹

Each lot or parcel of land in the R-3 Zone shall abut a public street for a minimum distance of forty-five (45) feet on a line parallel to the center of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

14-6-107 LOT AREA PER DWELLING^{10,11}

Density for more than two units on any lot or parcel in the R-3 Zone shall be as indicated by the sub-zone used in conjunction with the R-3 Zone designation. Sub-zones are designated by adding a suffix number to the R-3 Zoning symbol indicating units per acre of density. Where the calculation results in a fraction, the number of units will be rounded downward to the next whole number below .49 and rounded upward to the next whole number at .50 or above.

Allowable densities for any lot or parcel in the R-3 Zone are as indicated below by the sub-zone in which it is situated:

⁸Amended 2/23/94 Ordinance No. 94-3

⁹Amended 10/5/94 Ordinance No. 94-16

¹⁰Amended 3/23/04 Ordinance No. 2004-03

¹¹Amended 8/10/04 Ordinance No. 2004-13

<u>Sub-Zone</u>	<u>Allowable Density</u>
All R-3 Sub Zones	9 units per acre on lots less than one acre in size.
R-3-13	13 units per acre upon a one acre minimum lot.
R-3-16	16 units per acre upon a one acre minimum lot.
R-3-25	25 units per acre upon a two acre minimum lot.

14-6-108 VEHICLE ACCESS¹²

Projects less than one acre in size may have only one vehicle access onto a public street, unless otherwise restricted. Projects of one acre or larger must have a circulatory type driveway system with two vehicle accesses, one of which may be shared with an adjoining development. All driveway systems in multi-family projects must be designed so that vehicles do not back onto a public street. All driveway areas shall comply with Chapter 18, Off-Street Parking and Vehicle Access Standards.

14-6-109 YARD REQUIREMENTS¹³

(a) It is the requirement of Bountiful City that multiple family developments reflect a sense of proportion. Proportion requires that the development be designed in such a manner that each unit receives a reasonable and approximately proportionate share of the open space, landscaping, and other benefits of the site. Locating units in such a way that benefits of the site fall primarily to one unit or a few units and not to others is prohibited. Depending upon site dimensions and configuration, it is possible that proportionality and yard requirements may prevent the utilization to the maximum number of units that may otherwise be permitted by this ordinance in Section 14-6-107 or elsewhere.

The yard requirements set forth in this section are intended to create proportionality, and they set the standard requirements. However, taking into account the individual dimensions and configurations of the site, the Planning Commission and City Council are granted reasonable discretion in administering the proportionality requirement to vary somewhat from the standard, but only upon a showing by the applicant that the proportionality requirement is fulfilled even with the requested variation.

(b) The following minimum yard requirements shall apply in the R-3 Zone:

- A. Front Yard.¹⁴ For each single family dwelling or each lot or parcel shall have a front yard setback of not less than thirty feet from the front lot line. Front yards for all

¹²Amended 8/10/2004 Ordinance No. 2004-13

¹³Amended 3/23/2004 Ordinance No. 2004-03

¹⁴Amended 3/23/2004 Ordinance No. 2004-03

multiple family unit developments shall have a front yard setback of not less than thirty feet unless the City Council permits a different setback to conform with the neighborhood. Parking for multi-family units cannot be located in the front yard setback.

In the event a development includes a residential unit placed sideways or at some other angle on a lot (rather than facing directly to the street), the area from the front of the building to the property line shall also be considered a Front Yard and must meet Front Yard requirements.

- B. Side Yard - Interior Lots.¹⁵ For each single dwelling or duplex, each interior lot or parcel of land shall have a minimum side yard of eight feet with a total combined measurement of at least sixteen feet. Side yards for all multiple family unit developments shall have a minimum side yard of eight feet with a total combined measurement of at least sixteen feet.

In the event a development includes a residential unit placed sideways or at some other angle on a lot (rather than facing directly to the street), the

- (a) the Front Yard requirement measured from the lot line adjacent to the public right of way remains in effect;
- (b) the area from the front of the building to any property line shall also be considered a Front Yard and must meet the setback requirements of a Front Yard;
- (c) the Rear Yard requirement measured from the back of the lot remains in effect, and
- (d) the ends/sides of the building do not become sideyards.

- C. Side Yard - Corner Lots. On each corner lot or of land, the side yard contiguous to the street shall not be less than twenty (20) feet, and shall not be used for vehicle parking, except such portion as is devoted to driveway use for access to a garage or carport.
- D. Side Yard - Driveway. When used for access to a garage, carport, or parking area, a side yard shall be wide enough to provide an unobstructed twelve (12) foot driveway.
- E.¹⁶ Side Yard - Accessory Building. No accessory buildings shall be allowed in any required side yard.
- F. Rear Yard.¹⁷ For each single family dwelling or each lot or parcel shall have a rear yard of no less than twenty feet. Rear yards for all multiple family unit development shall be

¹⁵Amended 3/23/2004 Ordinance No. 2004-03

¹⁶Amended 1/3/2001 superseding Ordinance No. 96-13

¹⁷Amended 3/23/2004 Ordinance No. 2004-03

no less than twenty feet.

- G. Rear Yard- Irregular Lots. On lots which are not rectangular in shape, the required minimum rear yard may be an average of the distances measured from the rear corners of the main building directly to the rear lot line. The shortest distance used in determining the average shall not be less than fifteen (15) feet.
- H.¹⁸ Rear Yard - Accessory Building. An accessory building may be located within three (3) feet of the rear property line if:
1. It is located more than five (5) feet to the rear of any main building on the same lot on which said building is being placed.
 2. It is no closer than twelve (12) feet to any dwelling on adjacent property.
 3. It meets all of the provision of the International¹⁹ Building Code.
 4. It does not encroach on any easements, recorded or otherwise.

14-6-110 PROJECTIONS INTO YARDS

A. The following structures may be erected on or project into any required yard:

1. Fences and walls in conformance with City codes or ordinances.
2. Landscape elements, including trees, shrubs, agricultural crops and other plants.
3. Necessary appurtenances for utility service.

B. The structures listed below may project into a minimum front or rear yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet:

1. Cornices, eaves, belt courses, sills, buttresses, other similar architectural features.
2. Fireplace structures and bays, provided that they not wider than eight (8) feet, measured generally parallel to the wall of which they are a part.
3. Stairways, balconies, door stoops, fire awnings, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

¹⁸Amended 10/15/96 Ordinance No. 96-13 superseding Ordinance No. 95-19

¹⁹Amended 5/14/2002 Ordinance No. 2002-08

4. Any permanent roof or canopy attached to the main building which covers a use customarily recognized as an open, outdoor, use, such as a patio, patio deck, hot tub, etc., may extend into the rear yard no farther than one-half the required rear yard set-back distances, if the roof or canopy:
 - a. Is not more than one (1) story in height.
 - b. Is no longer than the width or depth of the side of the main dwelling on which it is located.
 - c. Is entirely open on three (3) sides except supporting columns and customary architectural features.

Such structures are not allowed to project into any side yard abutting a street on a corner lot.

14-6-111 BUILDING HEIGHT

No lot or parcel of land in the R-3 Zone shall have a building or structure used for dwelling which exceeds a height of two (2) stories or thirty-five (35) feet whichever is greater. Chimneys, flagpoles, church towers and similar structures not used for human occupancy are excluded in determining height.

14-6-112 DISTANCE BETWEEN BUILDINGS

For single family dwellings and duplexes, the distance between any dwellings on adjacent lots shall not be less than sixteen (16) feet. The distance between any accessory building and any dwelling shall not be less than five (5) feet. The distance between any accessory building and any dwelling on adjacent property shall not be less than twelve (12) feet.

For multiple family unit developments, the distance between structures on the same lot or project shall not be less than twenty (20) feet.

14-6-113 PERMISSIBLE LOT COVERAGE²⁰

In an R-3 Zone, all buildings, including accessory buildings and structures, and all impervious surfaces such as driveways, sidewalks, patios, parking areas, sports courts and pools shall not cover a total of more than sixty percent (60%) of the area of the lot or parcel of land. For institutional uses, such as churches, private schools, and public buildings, the approving authority may increase the amount of impervious surface area to up to seventy percent (70%), but only if the additional area provides a direct public benefit.

²⁰Amended 6/08/2004 Ordinance 2004-09

14-6-114 PARKING, LOADING AND ACCESS²¹

Except as otherwise provided in Chapter 18, the number of paved off-street parking spaces for multiple family residential developments will be as follows:

<u>Bedrooms</u>	<u>Required Spaces</u>	<u>Visitor Spaces</u>
1	1.5 /unit	.25/unit
2	2.0 /unit	.25/unit
3 or more	2.5/unit	.25/unit

At least one (1) of the required parking spaces shall be a designated, covered parking stall for each dwelling unit. Visitor parking spaces shall be distributed throughout the project for convenient access from all units.

At least one of the parking spaces required above shall be a designated covered parking stall for each dwelling unit.

The Planning Commission may require more off-street parking to accommodate parking for recreational vehicles. This additional requirement must be based upon, but not limited to, the following criteria:

- A. Size of development
- B. Size of individual units
- C. Number of individual units
- D. Market value of individual units
- E. Occupancy mix of individual units.

Parking areas shall be designed so as to provide adequate buffering from dwelling units both on the subject property and adjacent properties. Such buffering shall be accomplished by: (1) distributing parking areas around the site to create smaller areas of off-street parking; (2) providing landscaped berms at appropriate locations; and (3) providing landscaped island areas to break up large asphalt areas.

14-6-115 SITE PLAN APPROVAL

Site plan approval is required for any multiple family developments, non-residential permitted or conditional uses in the R-3 Zone as per Chapter 2, Part 3 of this Ordinance.

²¹Amended 8/6/97 Ordinance No. 97-23 and 5/14/2002 Ordinance No. 2002-08

14-6-116 OTHER REQUIREMENTS²²

- A. Signs. Unless otherwise prohibited by law, signs of the type and description listed below, and not others, may be placed and maintained in the R-3 Zone.
1. Signs or name plates not exceeding one (1) square in size and displaying only the name and address of the occupant.
 2. One flat or wall sign placed on the dwelling which does not exceed one and one-half (1 ½) square feet identifying a home occupation.
 3. One sign or name plate not exceeding twenty (20) feet placed upon the building or ornamental masonry wall which identifies the name and/or address of an apartment structure or complex.
 4. Two temporary signs with a maximum area of six square feet each, pertaining to the sale, lease, or rent of the particular building, property, or premises upon which displayed, and no others.
 5. Signs or monuments identifying points of interest sites of historic significance. The size of said signs or monuments shall be specifically approved by the City Council.
- B. Landscaping. The following landscaping provisions shall apply in the R-3 Zone:
1. All open areas between the front line and the rear of the main building, except driveways, parking areas, walkways, utility areas, improved decks, patios, porches, etc., shall be maintained with suitable landscaping of plants, trees, shrubs, grass and similar landscaping materials.
 2. All landscaping must be sprinkled and planted substantial live plant material for the purpose of buffering, screening and beautifying the site. At plant maturity the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.
 3. Landscaping adjacent to R-1 or R-2 zoning will require minimum buffer of ten (10) feet.
 4. Landscaping adjacent to off-street parking within yard area will require a minimum landscaped area of five (5) feet providing it does not abut R-1 or R-2 zoning.
 5. Landscaping shall also be installed in all parkstrips to the same standards as other on-site landscaping. Asphalt or concrete paving, any other solid type material such as brick,

²²Amended 8/6/97 Ordinance No. 97-23

stone or railroad ties, or loose gravel or landscape rock in place of landscaping between sidewalk and curb is prohibited.

6. Landscaping must cover at least forty (40)) percent the development site.

C. Structure Design and Materials.

1. Exteriors shall be essentially maintenance free wall material such as high quality brick, natural stone, weather resistance stucco or masonite type material, or non-wood siding. Stucco, masonite or siding may not exceed fifty (50) percent of the exterior.
2. All units shall have some private outdoor space in the form of balconies or patios.

D. Neighborhood Compatibility.

1. Buildings shall be designed with compatibility to adjacent residential development, particularly with regard to building height, architecture, landscaping, and building mass.
2. All perimeter setbacks shall be equal to or greater than the average of the surrounding setbacks.
3. All perimeter buildings shall be equal to the average height of the adjacent structures. Such perimeter buildings may increase one (1) foot in height for each one (1) foot of extra setback beyond the average of the surrounding setbacks to a maximum of thirty-five (35) feet.

E. Trash Storage. The following provisions shall apply to storage and disposal of trash and other used materials and debris in the R-3 Zone:

- 1.²³ No trash, garbage, refuse, unsightly or deleterious objects or structures, or use materials, shall be allowed or permitted upon any property. Storage of commercial goods or materials is expressly prohibited.
2. A screened or otherwise enclosed area will be as an integral part of the on-site buildings or an outside area designated for having a dumpster or other trash control device to keep the trash out of public view and controlled to keep litter from scattering throughout the area.

F. Walls and Fences.

1. All walls and fences erected and maintained in the R-3 Zone shall be of a maintenance free material and shall comply with the provisions of Chapter 17 of this Ordinance.

²³Amended 8/13/2002 Ordinance 2002-15

G.²⁴ Lot and Access Design. Single family dwelling structures located such that any part of the structure is farther than one hundred fifty (150) feet from the street as measured along the center line of a driveway or access road to the nearest point of and around the perimeter of the structure, must be approved by the Bountiful Fire Chief prior to a building permit being issued. Single family structures, located farther than two hundred (200) feet from the nearest public street as measured from the public street along the centerline of the driveway or access road to the nearest point of the structure, must be granted an exception from the City Council prior to a building permit being issued. In no event shall such exception be granted beyond five hundred (500) feet from the public street as measured along the center line of the driveway or access road to the nearest point of the structure. The following conditions are conditions precedent to the granting of such an exception:

1. A recommendation from the Planning Commission that such an exception be granted.
2. An access road or driveway shall be provided which meets the following standards:
 - a. Surface. An all-weather surface capable of supporting the imposed load of fire apparatus shall be provided. If constructed of asphalt, the access road or driveway shall be a minimum of two and one-half (2 ½) inches of asphalt over a minimum of six (6) inches of compacted road base. If constructed of concrete, the access road or driveway shall have a minimum of five (5) inches of concrete over a compacted road base.

The access road or driveway shall be maintained by the property owner or possessor of the premises in good condition and repair and with adequate snow removal so as to provide free and uninhibited access by emergency service vehicles.
 - b. Width. The access road or driveway shall be a minimum of twenty (20) feet wide. Where such roadway is adjacent to required fire hydrants, the width shall be a minimum of twenty-six (26) feet within twenty (20) feet in either direction from the hydrant. Such required widths shall be unobstructed, including parking of vehicles, and shall have a minimum vertical clearance of thirteen (13) feet six (6) inches.
 - c. Turn-arounds, Curves and Turns. A turn-around shall be provided at the end of the access road or driveway in accordance with the standards and specifications of Article 10 of the International²⁵ Fire Code and in accordance with the minimum requirements of Figure 13-1.

²⁴Amended 1/3/2001 Ordinance 2001-01

²⁵Amended 5/14/2002 Ordinance No. 2002-08

The minimum turning radii for all turns and/or curves shall conform to the forty-five (45) foot radius single unit truck or bus contemplated in Figure 13-4.

If access roads are not looped, then the provided dead end access road shall meet the requirements in Figure 13-2.

- d. Distance to Buildings. Any access road or driveway shall be extended to within one hundred fifty (150) feet of all portions of the exterior walls of the first story of any building.
 - e. Maximum Grade. The maximum grade for access roads or driveways shall be fifteen (15) percent as measured along the centerline of the access road or driveway.
 - f. Signs. Property owners shall be required to identify and mark fire lanes to the satisfaction and approval of the Fire Chief. Signs shall be posted near the entrances of access roadways and driveways. Spacing and placing of signs shall be subject to the approval of the Fire Chief. Signs shall be a minimum of twelve (12) inches by eighteen (18) inches in two and one-half (2 ½) inch block lettering with one-half (½) inch stroke on a contrasting background. Signs shall read "No Parking - Fire Department Access Road".
 - g. Water System for Fire Protection. The property owner or possessor of the premises shall be responsible for establishing the base grade of the access road or driveway before the water system is installed. The property owner or possessor shall clear the right-of-way for the water system and establish the proposed fire hydrant locations and grades by use of an offset stake. The City shall install the water system and set the fire hydrant to the grade established by the owner. If there are any changes to the access road or driveway or right-of-way areas which do not allow for a minimum of forty-two (42) inches of cover over the water line or not more than four (4) inch vertical difference between the flange of the fire hydrant and the finished surface of the access road or driveway, the owner shall be responsible for all expenses associated with the relocation or adjustment to the water system.
- Lots shall not be allowed or approved where the static water pressure from the City water system serving the proposed lot or lots is less than forty (40) pounds per square inch.
- h. Fire Hydrants. A fire hydrant shall be installed by Bountiful City at the expense of the property owner and shall be connected by a six (6) inch water line from the water main. The hydrant shall be located in accordance with Article 10 of the

International²⁶ Fire Code. Fire hydrants shall be located on all required access roads or driveways as required by Bountiful City and shall be located within five (5) feet of the required access road or driveway.

If, in the opinion of the Fire Chief, fire hydrants are vulnerable to vehicular damage, appropriate crash posts shall be required. No obstruction shall exist within a three (3) feet working area of each fire hydrant. Required crash posts shall be a four (4) inch concrete filled pipe, having a minimum of three (3) feet in height above grade, with two (2) feet of pipe below grade set in concrete. Hydrant shut-off valves shall be located no closer than five (5) feet from the hydrant and no further than twenty (20) feet.

- i. Easements. The property owner shall grant unto the City an easement along the court and full width of the access road or driveway permitting access to City emergency and service vehicles and inspection personnel. In addition, the property owner shall grant unto the City a utility easement extending from the public street to the fire hydrant and having a minimum width of twenty (20) feet for the purpose of use, operation, maintenance and repair of such hydrants and water line. (Figure 13-3)
3. All of the required improvements shall be installed at the lot or property owner's expense.
4. All single-family dwelling structures shall have installed at the time of construction and continuously maintained, a pressure interior fire protection sprinkling system that complies with the minimum standards of the International Building Code and the International²⁷ Fire Code.

14-6-117 ZERO LOT LINE DEVELOPMENT AND CONVERSIONS

Zero lot line development or conversions may be permitted by Conditional Use Permit granted by the Planning Commission in the R-3 Zone under the following provisions:

- A. Lots in New Subdivisions. In new subdivisions of more than ten (10) lots, not more than fifty percent (50%) of the total lots may be developed as zero lot line dwellings.
- B. Lots not in Subdivisions. Platted, approved, undeveloped lots not in new subdivisions may be developed singly as zero lot line dwellings.
- C. Existing Duplex Conversions. Existing duplexes may be converted to separate

²⁶Amended 5/14/2002 Ordinance No. 2002-08

²⁷Amended 5/14/2002 Ordinance No. 2002-08

ownership for zero lot line dwellings, provided both sides of the conversion meet minimal lot size requirements. All appropriate building code requirements for condominium construction shall apply.

D. Development Standards.

1. Lot Frontage and Width. Each zero lot line dwelling lot shall have frontage on a public street and a minimum width at the front setback line of forty (40) feet.
2. Minimum Lot Size. The minimum lot size for each zero lot line dwelling in the R-3 Zone shall be five thousand (5,000) square feet.
3. Yard Regulations.
 - a. Front Yard. The front yard setback shall be the same as is required for the R-3 Zone.
 - b. Side Yard. The side yard setback shall be at least twenty percent (20%) of the lot frontage, or ten (10) feet, whichever is greater. On corner lots, the zero side yard shall never occur on the street side.
 - c. Rear Yard. The rear yard setback shall be the same as is required for the R-3 Zone.
4. Lot Coverage. No more than fifty percent (50%) of the lot may be occupied by a zero lot line dwelling and any accessory buildings.
5. Building Height. Zero lot line dwellings shall have a maximum building height of thirty-five (35) feet.
6. Openings on the Zero Lot Side. On detached buildings, no windows, doors, or other openings shall be allowed on the zero lot line side.
7. Parking. A minimum of two (2) off-street parking spaces shall be provided for each zero lot line dwelling.
8. Lots Bordering Standard Lots. Where a zero lot line lot borders a standard, non-zero lot line lot, the zero lot line side of any dwelling shall be opposite the abutting lot line.

14-6-118 SPECIAL PROVISIONS FOR DEVELOPMENT OF MULTIPLE-FAMILY UNITS ON LOTS WITH EXISTING SINGLE FAMILY OR DUPLEX

STRUCTURES²⁸

A. The combining of existing single family or duplex residential structures with new multi-family residential structures on the same parcel of land is prohibited on parcels of land smaller than two acres in size.

B. The combining of existing single family or duplex residential structures with new multi-family residential structures on the same parcel of land two (2) acres or larger in size is a conditional use. In addition to conditional use permit requirements, any such development is subject to the following restrictions:

1. The existing single family or duplex structure must have a side yard of sufficient width for the installation of the necessary driveway and landscape buffer as required by Section 14-6-116 (B) and 14-18-109 (B) of this Ordinance and by the Uniform Fire Code.
2. A new multi-family site plan shall be developed and submitted for review and approval by the Planning Commission and City Council under the provisions of Part 3 of Chapter 2 of this Ordinance. The new site plan shall be appropriate and proportional to the entire parcel and shall meet one of the following circumstances:
 - a.²⁹ If the owner/developer wishes to maintain the existing single family or duplex structure in a single family or duplex residential use, the existing structure must first either meet all applicable standards of the International Building Code and other ordinances and codes, or be brought up to those standards. If this cannot be accomplished for any reason, then the structure must be demolished prior to the construction of any multi-family units. If this can be accomplished, the existing structure may remain, and the following requirements shall apply to the project:
 - (1) In calculating the multi-family residential requirements of this Chapter, the lot area required for a single family dwelling or for a duplex (as the case may be) as specified in Section 14-6-104 of this Chapter shall be deducted from the area of the total parcel to be developed.
 - (2) Required front, side and rear yards for the existing single family or duplex structure, as specified in Section 14-6-109, shall be used as the minimum separation requirements between the multi-family units and the existing structure.
 - (3) Parking for the multi-family units shall not be provided in any front, side or rear yard maintained for the existing single family or duplex structure.

²⁸Amended 9/9/98 Ordinance No. 98-17

²⁹Amended 5/14/2002 Ordinance No. 2002-08

- (4) Landscaping for the entire project shall be proportional to all of the units, so that all of the units may benefit from the landscaping. No front, side or rear yard maintained for the existing single family or duplex structure may be counted towards meeting the minimum landscaping percentage required under this Chapter for the new multi-family units.
 - (5) Except for the front yard setback (which shall be twenty (20) feet from any existing single family or duplex structure), all requirements of this Chapter for multi-family development shall be applied to the remaining area of the parcel.
- b. If the owner/developer wishes to maintain the existing single family or duplex structure and add to and remodel it in order to develop the parcel to the maximum allowable density, the following requirements shall apply to the project:
- (1) The existing single family or duplex structure must be converted to a minimum of three (3) units so as to constitute a multi-family use.
 - (2) The structure shall be remodeled and upgraded so as to be architecturally similar to and compatible with any new multi-family structures to be placed on the property.
 - (3) The existing, remodeled structure shall meet all applicable standards of the International³⁰ Building Code and other ordinances and codes.
 - (4) Landscaping for the entire project shall be proportional to all of the units so that all of the units may benefit from landscaping. It is not permitted that a disproportionate amount of landscaping benefit the existing, remodeled structure and that the new multi-family units enjoy relatively little landscaping.
 - (5) The multi-family development requirements of this Chapter shall apply to the entire property, and all existing on-site improvements such as driveways, parking, landscaping, etc., shall comply with or be brought up to standards of the requirements of this Chapter.

³⁰Amended 5/14/2002 Ordinance No. 2002-08